

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Northern District of Texas

(State)

Case number (if known): Chapter 11

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Tommy's Phoenix, LLC

2. All other names debtor used in the last 8 years Tommy's Phoenix

Include any assumed names, trade names, and *doing business* as names

3. Debtor's federal Employer Identification Number (EIN) 8 5 - 3 8 6 3 0 3 6

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

33 W Broadway Rd  
Number Street

Number Street

P.O. Box

Mesa AZ 85210  
City State ZIP Code

City State ZIP Code

Location of principal assets, if different from principal place of business

County

Number Street

City State ZIP Code

5. Debtor's website (URL) https://www.tommysboats.com/

Debtor Tommy's Phoenix, LLC Case number (if known) \_\_\_\_\_  
Name

**6. Type of debtor**

- ☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
☐ Partnership (excluding LLP)  
☐ Other. Specify: \_\_\_\_\_

**7. Describe debtor's business**

*A. Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))  
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
☐ Railroad (as defined in 11 U.S.C. § 101(44))  
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))  
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))  
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))  
☐ None of the above

*B. Check all that apply:*

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)  
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)  
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

*C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.*

4 4 1 2

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

*Check one:*

- ☐ Chapter 7  
☐ Chapter 9  
☐ Chapter 11. *Check all that apply:*

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- ☐ Chapter 12

Debtor Tommy's Phoenix, LLC Case number (if known) \_\_\_\_\_  
Name

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

☒ No

☐ Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

☐ No

☒ Yes. Debtor See Schedule 1 Relationship Affiliate

District Northern District of Texas When \_\_\_\_\_  
MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Case number, if known \_\_\_\_\_

**11. Why is the case filed in this district?**

Check all that apply:

☐ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☒ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other \_\_\_\_\_

**Where is the property?**

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

**Is the property insured?**

☐ No

☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information**

Debtor Tommy's Phoenix, LLC Case number (if known) \_\_\_\_\_  
Name

**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.  
☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

**14. Estimated number of creditors**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1-49               | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input type="checkbox"/> 50-99              | <input type="checkbox"/> 5,001-10,000  | <input type="checkbox"/> 50,001-100,000    |
| <input checked="" type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999            |  |  |

**15. Estimated assets**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000          | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000    | <input type="checkbox"/> \$10,000,001-\$50 million           | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000   | <input type="checkbox"/> \$50,000,001-\$100 million          | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million         | <input type="checkbox"/> More than \$50 billion        |

**16. Estimated liabilities**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> \$0-\$50,000          | <input type="checkbox"/> \$1,000,001-\$10 million               | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000    | <input type="checkbox"/> \$10,000,001-\$50 million              | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000   | <input type="checkbox"/> \$50,000,001-\$100 million             | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input checked="" type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion        |

**Request for Relief, Declaration, and Signatures**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 05/20/2024  
MM / DD / YYYY

☒ /s/ Monica S. Blacker

Signature of authorized representative of debtor

Title Chief Restructuring Officer

Monica S. Blacker

Printed name

Debtor Tommy's Phoenix, LLC Case number (if known) \_\_\_\_\_  
Name

18. Signature of attorney

**X** /s/ Liz Boydston

Date 05/20/2024

Signature of attorney for debtor

MM / DD / YYYY

Liz Boydston

Printed name

Gutnicki LLP

Firm name

10440 N. Central Expressway, Suite 800

Number Street

Dallas

Texas

75225

City

State

ZIP Code

(469) 895-4413

lboydston@gutnicki.com

Contact phone

Email address

24053684

TX

Bar number

State

**Schedule 1**

**Pending Bankruptcy Cases Filed by Debtor and Affiliates of Debtor**

On the date hereof, each of the affiliated entities listed below, including the debtor in this chapter 11 case, filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Northern District of Texas (the “**Court**”). A motion will be filed with the Court requesting that the chapter 11 cases of the entities listed below be consolidated for procedural purposes only and jointly administered, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure, under the case number assigned to the chapter 11 case of Tommy’s Fort Worth, LLC.

<b>Debtor</b>		<b>Tax ID #</b>
1	High Country Watersports, LLC	46-0896160
2	MKB Florida Holdings, LLC	46-1075698
3	Tommy’s California Fresno, LLC	85-3898597
4	Tommy’s Castaic, LLC	86-3507501
5	Tommy’s Chattanooga, LLC	87-1100839
6	Tommy’s Detroit, LLC	82-4235242
7	Tommy’s Fort Worth, LLC	87-3993473
8	Tommy’s Grand Rapids, LLC	47-3259224
9	Tommy’s Las Vegas, LLC	85-3877721
10	Tommy’s Lewisville, LLC	87-4014750
11	Tommy’s Phoenix, LLC	85-3863036
12	Tommy’s Stockton, LLC	92-0551338
13	Tommy's California Ventura, LLC	85-3845149
14	Tommy's Holding Company, LLC	84-3392662
15	Tommy's Knoxville, LLC	87-1128052
16	Tommy's Rancho Cordova, LLC	92-0541070
17	Walloon Lake Village Marina, LLC	46-0720277

**WRITTEN CONSENT OF MATTHEW BORISCH, PRESIDENT OF  
TOMMY'S FORT WORTH, LLC, *ET AL.***

May 20, 2024

Under the provisions of the LLC Agreements of Tommy's Fort Worth, LLC; Tommy's Holding Company, LLC; Tommy's Grand Rapids, LLC; Tommy's Castaic, LLC; Tommy's Lewisville, LLC; High Country Watersports, LLC; Walloon Lake Village Marina, LLC; MKB Florida Holdings, LLC; Tommy's Detroit, LLC; Tommy's California Fresno, LLC; Tommy's Phoenix, LLC; Tommy's Las Vegas, LLC; Tommy's Chattanooga, LLC; Tommy's California Ventura, LLC; Tommy's Rancho Cordova, LLC; Tommy's Stockton, LLC; and Tommy's Knoxville, LLC (collectively, the "**Companies**"), Matthew Borisch, as President of the Companies, hereby consents in writing that the following resolutions be adopted:

**WHEREAS** Mr. Borisch has had the opportunity to consult with the management, and the Companies' legal advisors and has fully considered presentations by each and each of the strategic alternatives available to the Companies.

**A.** Commence Chapter 11 Cases

**NOW IT IS THEREFORE RESOLVED** that the Companies file, or cause to be filed, voluntary petitions for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Texas (the "**Bankruptcy Court**") and perform any and all such acts as are reasonable, advisable, expedient, convenient, proper or necessary to affect the foregoing; and it is further

**RESOLVED** that the Chief Restructuring Officer (the "**CRO**") and President Matthew Borisch (each, an "**Authorized Person**" and collectively, the "**Authorized Persons**"), acting singly or jointly, be, and hereby is, authorized, empowered, and directed, with full power of delegation, to negotiate, execute, deliver, and file with the Bankruptcy Court, in the name and on behalf of the Companies, and under its corporate seal or otherwise, all plans, petitions, schedules, statements, motions, lists, applications, pleadings, papers, affidavits, declarations, orders and other documents; and it is further

**RESOLVED** that the Authorized Persons be, and each of them, acting singly or jointly, hereby is, authorized, empowered, and directed, with full power of delegation, in the name and on behalf of the Companies, to take and perform any and all further acts and deeds that such Authorized Person deems necessary, appropriate, or desirable in connection with the Companies' bankruptcy cases and in furtherance of the restructuring of the Companies' debts and obligations, all as consistent with these resolutions and to carry out and put into effect the purposes of these resolutions, and the transactions contemplated by these resolutions, their authority thereunto to be evidenced by the taking of such actions; and it is further

**B. Retention of Advisors**

**RESOLVED** that the following professionals be engaged and retained on behalf of the Companies: (i) Gutnicki LLP as general bankruptcy counsel; (ii) Force 10 Partners LLC to provide Monica Blacker to serve as the CRO and provide personnel in support of the CRO; (iii) Omni Agent Solutions, Inc. as claims and noticing agent; each to represent and assist the Companies in carrying out their duties and responsibilities under the Bankruptcy Code and applicable law, and to take any and all actions to advance the Companies' rights and interests (including, without limitation, the law firms filing any pleadings and responses, and making any filings with regulatory agencies or other governmental authorities); and it is further

**RESOLVED** that the Authorized Persons be, and each of them, acting singly or jointly, hereby is, authorized, directed and empowered, on behalf of and in the name of the Companies, to execute appropriate retention agreements with and pay appropriate retainers to the foregoing professionals and such other professionals as they deem necessary, appropriate or desirable, upon such terms and conditions as they shall approve, to render services to the Companies, and to cause to be filed appropriate applications for authority to retain the services of such professionals; and it is further

**RESOLVED** that the Authorized Persons be, and each of them, acting singly or jointly, hereby is, authorized, empowered, and directed to employ any other professionals to assist the Companies in carrying out their duties under the Bankruptcy Code to prepare for and in the bankruptcy cases; and the Authorized Persons be, and each of them, acting singly or jointly, hereby is, authorized, empowered, and directed to execute and file all necessary documents and agreements and to pay retainers necessary to employ and retain all assistance by legal counsel, accountants, financial advisors, and other professionals and to take and perform any and all further acts and deeds that the Authorized Persons deem necessary, proper, or desirable in connection with the bankruptcy cases, with a view toward successful prosecution of such cases; and it is further

**C. Financing**

**RESOLVED** that the Authorized Persons be, and each of them, acting singly or jointly, hereby is, authorized, directed and empowered, on behalf of and in the name of the Companies, to negotiate and obtain postpetition financing and/or use of cash collateral, including under one or more debtor-in-possession credit facilities, as such Authorized Person deems necessary, appropriate, or desirable in connection with the Companies bankruptcy cases and to carry out and put into effect the purposes of these resolutions; and to enter into any guarantees and to pledge and grant liens on the Companies' assets in support of such financing, and in connection therewith to execute appropriate loan agreements and related ancillary documents; with the actions of the Authorized Persons taken pursuant to this resolution, including the execution, acknowledgement, delivery and verification of all such financing related documents, being deemed conclusive evidence of the approval and the necessity, desirability or appropriateness thereof; and it is further

**RESOLVED** that the Authorized Persons be, and each of them, acting singly or jointly, hereby is, authorized, directed and empowered, on behalf of and in the name of the Companies, to take all such further actions, including, without limitation, to pay or approve the payment of all fees



and expenses payable in connection with any such financing transaction(s) and all fees and expenses incurred by or on behalf of the Companies in connection with these resolutions, in accordance with the terms of any financing related documents, which shall in its sole judgment be necessary, appropriate, or desirable to perform any of the Companies' obligations under or in connection with such financing arrangements and to carry out fully the intent of these resolutions; and it is further

**D. General**

**RESOLVED** that the Authorized Persons, be, and each of them, acting singly or jointly, hereby is, authorized, directed and empowered, on behalf of and in the name of the Companies, authorized, empowered, and directed, with full power of delegation, in the name and on behalf of the Companies, to take and perform any and all further acts or deeds, including (a) the negotiation of such additional agreements, amendments, modifications, supplements, consents, waivers, reports, documents, instruments, applications, notes or certificates not now known but which may be required, (b) the execution, delivery, performance and filing (if applicable) of any of the foregoing, and (c) the payment of all fees, consent payments, taxes, indemnities and other expenses, as any such Authorized Person, in his or her sole discretion, may approve or deem necessary, appropriate, or desirable to carry out the intent and accomplish the purposes of the foregoing resolutions and the transactions contemplated thereby, all of such actions, executions, deliveries, filings, and payments to be conclusive evidence of such approval or that such Authorized Person deemed the same to meet such standard; and it is further

**RESOLVED** that any person dealing with any Authorized Person in connection with any of the foregoing matters shall be conclusively entitled to rely upon the authority of such Authorized Person and by his or her execution of any document, agreement or instrument, the same to be a valid and binding obligation of such Companies enforceable in accordance with their terms; and it is further

**RESOLVED** that each Authorized Person is hereby authorized to certify and deliver to any person to whom such certification and delivery may be deemed necessary or desirable in the opinion of such Authorized Person, a true copy of the foregoing resolutions; and it is further

**RESOLVED** that all actions heretofore taken, and all agreements, instruments, reports and documents executed, delivered or filed through the date hereof, by any Authorized Person of the Companies in, for and on behalf of the Companies, in connection with the matters described in or contemplated by the foregoing resolutions, are hereby approved, adopted, ratified and confirmed in all respects as the acts and deeds of the Companies as of the date such action or actions were taken.

*[Remainder of Page Intentionally Left Blank]*

**IN WITNESS WHEREOF**, the undersigned have executed this Consent effective as of the date set forth above.



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Name: Matthew Borisch  
Title: President

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

In re:	)	
	)	Chapter 11
	)	
TOMMY'S FORT WORTH, LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 24-[ ]
	)	
Debtors.	)	(Joint Administration Requested)
	)	

**CONSOLIDATED CORPORATE OWNERSHIP  
STATEMENT AND LIST OF EQUITY SECURITY HOLDERS**

Pursuant to Rules 1007(a)(1) and 7007.1 of the Federal Rules of Bankruptcy Procedure, the above-captioned debtors and debtors in possession (each, a "Debtor") hereby state as follows:

1. The following Debtors, along with each Debtor's respective address, are 100% owned by non-debtor Matthew A. Borisch:

- a. Tommy's California Fresno, LLC, 120 Ottawa Ave. NW, Grand Rapids, MI 49053;
- b. Tommy's Castaic, LLC, 31970 Castaic Rd, Castaic, CA 91384;
- c. Tommy's Chattanooga, LLC, 120 Ottawa Ave. NW, Grand Rapids, MI 49053;
- d. Tommy's Fort Worth, LLC, 9804 Camp Bowie W Blvd, Fort Worth, TX 76116;
- e. Tommy's Holding Company, LLC, 120 Ottawa Ave. NW, Grand Rapids, Michigan 49053;

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Tommy's Fort Worth, LLC (3473); Tommy's Holding Company, LLC (2662); Tommy's Grand Rapids, LLC (9224); Tommy's Castaic, LLC (7501); Tommy's Lewisville, LLC (4750); High Country Watersports, LLC (6160); Walloon Lake Village Marina, LLC (0277); MKB Florida Holdings, LLC (5698); Tommy's Detroit, LLC (5242); Tommy's California Fresno, LLC (8597); Tommy's Phoenix, LLC (3036); Tommy's Las Vegas, LLC (7721); Tommy's Chattanooga, LLC (0839); Tommy's California Ventura, LLC (5149); Tommy's Rancho Cordova, LLC (1070); Tommy's Stockton, LLC (1338); and Tommy's Knoxville, LLC (8052). The corporate headquarters and the mailing address for the Debtors is 146 Monroe Center NW, Suite 820, Grand Rapids, Michigan.

- f. Tommy's Knoxville, LLC, 11470 Outlet Dr., Knoxville, TN 37932;
- g. Tommy's Las Vegas, LLC, 615 W Lake Mead Pkwy., Henderson, NV 89015;
- h. Tommy's Lewisville, LLC, 375 Oakridge Blvd, Lewisville, TX 75057;
- i. Tommy's Phoenix, LLC, 33 W Broadway Rd, Mesa, AZ 85210; and
- j. Tommy's California Ventura, LLC, 120 Ottawa Ave. NW, Grand Rapids, MI 49053.

2. The following Debtors, along with each Debtor's respective address, are 100% owned by non-debtor the Matthew Allen Borisch Trust, which is in turn 100% owned by non-debtor Matthew A. Borisch:

- a. High Country Watersports, LLC, 12900 W 43rd Dr., Golden, CO 80403;
- b. MKB Florida Holdings, LLC, 16212 State Rte. 50, Clermont, FL 34711;
- c. Tommy's Grand Rapids, LLC, 247 Morrissey Dr. NE, Comstock Park, MI 49321; and
- d. Walloon Lake Village Marina, LLC, 4075 M-75, Walloon Lake, MI 49796.

3. The following Debtors, along with each Debtor's respective address, are 100% owned by Debtor Tommy's Holding Company LLC, which is in turn 100% owned by non-debtor Matthew A. Borisch:

- a. Tommy's Detroit, LLC, 495 Summit Dr., Waterford Twp., MI 48328;
- b. Tommy's Rancho Cordova, LLC, 11361 Folsom Blvd, Rancho Cordova, CA 95742; and
- c. Tommy's Stockton, LLC, 1325 W Fremont St, Stockton, CA 95203.

Debtor name Tommy's Fort Worth, LLC

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

Case No. (If known) \_\_\_\_\_

☐ Check if this is an amended filing

## Official Form 204

## Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 30 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 30 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 30 largest unsecured claims.

Name of creditor and complete mailing address, including zip code.	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total Claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1 M&T Bank 345 Main St Buffalo, NY 14203	M&T Bank Email: smitzner@mtb.com	FLOORPLAN & REVOLVER	Disputed	\$105,687,453.80		\$105,687,453.80
2 Mercantile Bank 310 Leonard St NW Grand Rapids, MI 49504	Mercantile Bank Email: jkarl@mercbank.com	LINE OF CREDIT		\$4,740,610.92		\$4,740,610.92
3 Larson Marine 4340 Rivera Dr Stockton, CA 95204	Larson Marine	SELLER NOTE				\$3,243,800.96
4 California Dept of Tax & Fee Administration P.O. Box 942879 Sacramento, CA 94279	California Dept of Tax & Fee Administration	SALES TAX & PENALTIES				\$2,849,829.97
5 Michigan Treasury P.O. Box 30324 Lansing, MI 48909	Michigan Treasury	SALES TAX				\$1,077,731.49
6 Cvar (Waterski America) 413 Stonecrest Argyle, TX 76226	Cvar (Waterski America) Email: timccvar@gmail.com	SELLER NOTE				\$823,252.52

Debtor name **Tommy's Fort Worth, LLC**

Case No. (If known)

(Continuation Sheet)

Name of creditor and complete mailing address, including zip code.	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total Claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
7 Moses Powersports 7981 Hampton Cove Dr Ooltewah, TN 37363	Moses Powersports Email: CWFinch@firsthorizon.com	SELLER NOTE				\$671,665.44
8 Tennessee Dept of Revenue 500 Deaderick St Nashville, TN 37242	Tennessee Dept of Revenue	SALES TAX & PENALTIES				\$523,953.49
9 State of Arizona Dept of Revenue 1600 W Monroe Phoenix, AZ 85007	State of Arizona	SALES TAX & PENALTIES				\$422,893.39
10 Key Bank 11501 Outlook St, Ste 300 Overland Park, KS 66211	Key Bank Email: scrawford@storecapital.com	BUILDING LEASES				\$381,754.31
11 Boulder Boats 11500 S Eastern Ave, Ste 210 Henderson, NV 89052	Boulder Boats	SELLER NOTE				\$372,469.00
12 Barefoot International, LLC L - 4131 Columbus, OH 43260	Barefoot International, LLC Email: ARKWSAOBI@KENTWATERSPORTS.COM	TRADE AP				\$301,217.89
13 Colorado Dept of Revenue P.O. Box 912758 Denver, CO 80291	Colorado Dept of Revenue	SALES TAX & PENALTIES				\$295,996.99

Debtor name Tommy's Fort Worth, LLC

Case No. (If known) \_\_\_\_\_

(Continuation Sheet)

Name of creditor and complete mailing address, including zip code.	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total Claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
14 David M Tisdale & Co 5657 W Maple Rd W Bloomfield, MI 48322	David M Tisdale & Co Email: dtiz@aol.com	RENT				\$210,758.00
15 Troy Hawkins 7304 McConnell Dr Kernersville, NC 27284	Troy Hawkins Email: ethawkins@yahoo.com	CUSTOMER DEPOSIT				\$189,000.00

16 Nevada Tax Center 700 E Warm Springs Las Vegas, NV 89119	Nevada Tax Center	SALES TAX & PENALTIES				\$158,218.15
17 Glaspro, Inc dba Zap & Phase 5 Venice, FL 34292	Glaspro, Inc Email: SALES@GLASPROINC.COM	TRADE AP				\$151,612.66
18 First Insurance Funding 450 Skokie Blvd Northbrook, IL 60062	First Insurance Funding Email: firstinsite@firstinsurancefunding.com	CORPORATE INSURANCE (DUE 5/31)				\$148,982.12
19 Avalon & Tahoe Mfg, Inc 903 Michigan Ave Alma, MI 48801	Avalon & Tahoe Mfg, Inc Email: tiffany@avalonpontoons.com	TRADE AP - BOATS				\$145,994.04
20 Marine Outfitters Attn: Shannon Mcphail 280 Country Rd 35 Athens, TN 37303	Marine Outfitters Email: shanmcph1969@gmail.com	SELLER NOTE				\$140,000.00

Debtor name Tommy's Fort Worth, LLC

Case No. (If known) \_\_\_\_\_

(Continuation Sheet)

Name of creditor and complete mailing address, including zip code.	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total Claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
21 Protective Asset Protection P.O. Box 830634 Birmingham, AL 35283-0634	Protective Asset Protection Email: contractprocessing@protective.com	TRADE AP				\$133,041.00
22 Asd Concrete LLC 1527 Hwy 114, Ste 500 Grapevine, TX 76051	Asd Concrete LLC	CONSTRUCTION				\$129,600.00
23 Orion Construction 32 Market Ave SW Grand Rapids, MI 49503	Orion Construction Email: jsmigielski@orionbuilt.com	CONSTRUCTION				\$127,397.72
24 Square One Distribution, Inc 35214 Se Center St Snoqualmie, WA 98065	Square One Distribution, Inc Email: kerley@squareoneco.com	TRADE AP				\$125,108.33
25 David Hawkesworth 7304 Mcconnell Dr Kernersville, NC 27284	David Hawkesworth	LIEN PAYOFF DUE ON TRADE IN		\$117,701.18		\$117,701.18
26 Larsons Marine 4340 Rivera Dr Stockton, CA 95204	Larsons Marine	RENT				\$100,000.00
27 City of Wheat Ridge Tax Division P.O. Box 912758 Denver, CO 80291	City of Wheat Ridge	SALES TAX & PENALTIES				\$95,770.00



Debtor name **Tommy's Fort Worth, LLC**

Case No. (If known)

(Continuation Sheet)

Name of creditor and complete mailing address, including zip code.	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total Claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
28 Summit Real Estate Holdings 5657 W Maple Rd W Bloomfield, MI 48322	Summit Real Estate Holdings Email: dtiz@aol.com	RENT				\$91,500.00
29 Amg Operations LLC 3501 Fruitridge Ave NW, Ste A Walker, MI 49544	Amg Operations LLC Email: ar@acmemarine.com	TRADE AP				\$89,620.21
30 Dave Melendy 913 Laurel Hill Rd Knoxville, TN 37923	Dave Melendy Email: davidmelendy@gmail.com	LIEN PAYOFF DUE ON TRADE IN		\$89,510.59		\$89,510.59

Fill in this information to identify the case and this filing:

Debtor Name: Tommy's Phoenix, LLC

United States Bankruptcy Court for the: Northern District of Texas

Case number (If known): \_\_\_\_\_ (State)

## Official Form 202

### Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

Declaration and signature


I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule \_\_\_\_\_
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☒ Other document that requires a declaration: Corporate Ownership Statement

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 05/20/2024  
MM / DD / YYYY

 /s/ Monica S. Blacker  
Signature of individual signing on behalf of debtor

Monica S. Blacker

Printed name

Chief Restructuring Officer

\_\_\_\_\_  
Position or relationship to debtor